

**Regular Meeting
Board of Zoning Appeals
May 4, 2005**

Chairman Jerry Uebelhor called the Regular Meeting of the Board of Zoning Appeals to order at 7:00 p.m. Secretary Lloyd Martin took roll call as follows:

Chairman Jerry Uebelhor	-Present	Randy Mehringer	-Present
Vice Chairman Jim Blessinger	-Present	Bob Wright	-Present
Secretary Lloyd Martin	-Present	Bldg. Comm. Dave Seger	-Present
Ray Byrd	-Present	Atty Sandy Hemmerlein	-Present

PLEDGE OF ALLEGIANCE

Chairman Uebelhor led the Pledge of Allegiance.

APPROVAL OF THE MINUTES

Minutes of the April 6, 2005, Regular Meeting were reviewed. Vice Chairman Blessinger made a motion to approve the minutes as mailed. It was seconded by Ray Byrd. Motion carried 6-0.

STATEMENT

Chairman Uebelhor read the following statement. "We are now ready to begin the public hearings scheduled for this evening. With respect to tonight's meeting and public hearings, we are hereby incorporating by reference into the record of tonight's meeting and public hearings, City of Jasper Ordinance Number 1993-17, entitled "Zoning Ordinance of the City of Jasper, Indiana and its jurisdictional area" and any and all amendments thereto. Audio and videotapes of these proceedings are also incorporated by reference into this evening's record."

NEW BUSINESS

Petition of Martha Hopf and Doris Hopf for a special exception to allow a Home Occupation (Alternative Health Care Practitioner).

Martha Hopf was present to request a special exception to operate her business at 1167 Hochgesang Avenue. Ms. Hopf intends to purchase this property contingent upon the Board's approval for a special exception.

There would be approximately three clients a day, one client at a time. Each client would be there between one to two hours. Ms. Hopf assured the Board that there would be ample parking in the driveway for her clients. UPS would deliver one to two times a month.

There were no remonstrators present. With no more discussion, Vice Chairman Blessinger made a motion to close the public hearing, seconded by Randy Mehringer. Motion carried 6-0.

Secretary Martin made a motion to grant a special exception to allow a Home Occupation (Alternative Health Care Practitioner) at 1167 Hochgesang Avenue. Randy Mehringer seconded it. Ray Byrd voted against the motion. Motion carried 5-1.

Petition of Lawrence Metz for a variance to build within two feet of the side yard.

Rob Mendel was present on behalf of Lawrence Metz to request a variance to build a two-car garage within two feet of the side yard at 468 N. Truman Road. Plans are to tear down an existing garage and construct a new one near the rear of the property.

There were no remonstrators present. After some discussion, Randy Mehringer made a motion to close the public hearing. Secretary Martin seconded it. Motion carried 6-0.

Randy Mehringer made a motion to grant a variance to build within two feet of the side yard at 468 N. Truman Road. Ray Byrd seconded it. Motion carried 6-0.

Petition of Steve and Grace Stemle for a special exception to allow a Home Occupation (Independent Manufacturer Office).

Chairman Uebelhor read a letter addressed to the Board from Steve and Grace Stemle requesting to table the public hearing due to time restraints.

Vice Chairman Blessinger made a motion to table the public hearing. Secretary Martin seconded it. Motion carried 6-0.

Petition of Kerstiens Corporation, Inc., for a variance to deviate from a portion of Section 16.02.120 (Lot and Yard Requirements) of the Zoning Ordinance; specifically to develop an R-3 (single or two family) subdivision with R-2 lot size, setbacks and home sizes in an existing R-1 zone.

Al Mehringer was present on behalf of Kerstiens Corporation to request two variances; 1) to build two-family dwellings on R-2 lots and 2) to develop an R-3 subdivision with R-2 lot size, setbacks and home sizes in existing R-1 zone.

Plans are to develop 14 lots with a mix of single and two-family dwellings. The lots would be reduced to R-2 standards, to fit in more with the neighborhood.

There were a few remonstrators present. Gerald Knies, of 1359 W. Todd Lane and Cheryl Pieper, of 1308 W. Todd Lane both expressed concerns of stormwater drainage and increased noise that the proposed development would create to the existing neighborhood.

Maryann Sutton, of 4289 N. Bart Lane, was also present among the remonstrators. Ms. Sutton argued that two-family dwellings would not "fit" in the neighborhood. Her main concern was that duplexes would bring increased noise and traffic to the area.

Vice Chairman Blessinger agreed with Mr. Kerstiens that there is a need for two-family dwellings; however, he said he does not think the need is in the proposed area.

After some discussion, Vice Chairman Blessinger made a motion to close the public hearing. Ray Byrd seconded it. Motion carried 10-0.

Vice Chairman Blessinger made a motion to grant a variance to reduce the lot size to Residential (R-2) sizes. Secretary Martin seconded it. Motion carried 6-0.

Secretary Martin made a motion to deny a variance for two-family dwellings in a Residential (R-2) zone. Vice Chairman Blessinger seconded it. Motion carried 6-0.

Petition of Alan R. Holweger as owner of the subject property for a variance to allow him to deviate from a portion of Article IV (General Principals of Design & Minimum Requirements for the layout of Subdivisions) Section B (The Street & Block Layout) specifically to extend a cul-de-sac street to 648 feet (Minimum 600 feet by Ordinance).

Surveyor Ken Brosmer was present on behalf of Alan Holweger to request a variance for an extension of 48 feet to the northeast of a cul-de-sac in Brentwood Phase II Subdivision. According to the Ordinance, the length from the intersection to the center of a cul-de-sac is 600 feet.

There were no remonstrators present. Ray Byrd made a motion to close the public hearing. Vice Chairman Blessinger seconded it. Motion carried 6-0.

Vice Chairman Blessinger made a motion to grant a variance to allow a 48-foot extension to the cul-de-sac. Secretary Martin seconded it. Motion carried 6-0.

With no further discussion, Vice Chairman Blessinger made a motion to adjourn the meeting. Bob Wright seconded it. The motion carried 6-0, and the meeting was adjourned at 8:28 p.m.

Jerry Uebelhor, Chairman

Lloyd Martin, Secretary

Kathy M. Pfister, Recording Secretary